

Docket No.: 3351-029A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :  
Michael D. Ladwig :  
Continuation of :  
Serial No. 09/124,002 : Group Art Unit:  
Filed: Herewith : Examiner:  
For: SYSTEM AND METHOD FOR ENSURING AND MANAGING SITUATION  
AWARENESS

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

Prior to examination of the above-identified application,  
please amend the application as follows.

IN THE SPECIFICATION

Please amend the specification as follows:

Page 8, delete third full paragraph and replace with the  
following:

--As depicted in Figure 2, a network usable with the present  
invention includes a presence 150, a computer system 160 and a  
computer system 170 connected to a network such as the Internet.  
The network illustrated in Figure 2 can also be called a virtual  
space. Other types of networks such as local area networks, wide

area networks and the like can also be used with the present invention. The presence 150 includes the computer software used in the present invention. Other computer systems including the depicted computer systems 172 and 174 generate message traffic which is sent to presence 150. The presence 150 is expecting the event stream sent by the gatherer agent to be of a predetermined format. The presence 150 is configured to be able to use this native format information and, if necessary, perform a transformation.--

Page 8, last paragraph, through page 10, third full paragraph, delete and replace with the following:

--Computer system 170 includes an illustrated hunter agent 175 and a message database 180. The hunter agent 175 is sent by the presence 150 to the computer system 170. The message database 180 can receive information from many sources such as a satellite link. Functionally, an agent is computer software, transportable over a computer network from one computer to another, to implement a desired function on the destination computer. An agent can also be defined as a transferable self-contained set of executable code instructions. The hunter agent 175 uses information contained in the message database 180 to create and send an event stream object (ESO) 182 to the presence 150. A relationship 184 exists between the ESO 182 and the message database 180. The hunter agent 175 has to go out and look for information contained in databases throughout the network. The hunter agent can transform the events

into a standardized format for use by the presence 150 which can include at least some of the following information associated with each event: type, title, datetime, keywords, summary, priority, and duration.

Computer system 160 includes an illustrated gatherer agent 190 and a database 195. The gatherer agent 190 is sent by the presence 150 to the computer system 160. The database 195 can receive information from many sources such as the illustrated satellite link. The gatherer agent 190 sends information to the presence 150. The gatherer agent 190 relays information to the presence in a native format as the information is updated at the database 195.

The events will have at least some of the following information associated with each event: type, title, datetime, keywords, summary, priority, and duration.

There are three basic types of event stream objects as used by a cluster of presence entities, as illustrated in Figure 2A.

The first, "Hunter Dynamic" 200, depicts the extraction of event information from a legacy data source. In this case, a specialized event stream object 202 to the particular legacy data type is created to represent the data source record. This specialized object 202 retains a pointer back to the original record, allowing it to extract additional information and update information as appropriate.

The second, "Hunter Static" 204, also depicts the extraction of event information from a legacy data source. In this case, however, a generic event stream object 206 is created and the

standard information elements are "filled in" as appropriate.

Third, the "Gatherer" approach shows the identification of newly created information in "new development" data sources 208. In this case, it is assumed that the information objects 210 were developed with the standard event stream interface 212 and elements in mind, and can thus be used by the presence 150 with no additional modification.

Finally, Figure 2A depicts each of the event stream objects being sent to the top-level presence entity 150 for its use, and any delegated use by subordinate presence objects.

As illustrated in Figure 3, events are sent by computer systems 160, 170, 172, 174 to the presence 150. Preferably, the events or event streams sent by the computer systems 160, 170, 172, 174 are in a standardized format and include the information listed above for the hunter 175 and gatherer 190 agents. It may be necessary to have separate code at the presence 150 for standardizing the incoming message traffic. The presence 150 includes the inventive computer software for applying rules and taking actions of the events ingested by the presence 150 and sorting the ingested events into streams of events 220, 222, 224. Only three streams are depicted although the present invention is not limited to any specific number of streams. Events received by a presence are usually organized into logical groupings known as streams. These streams can be used to systematize information. The stream names are devised by the user and events are moving onto streams through the automatic application of rules created by the

user.--

IN THE CLAIMS

Please amend the claims as follows:

1. (Amended) A method of monitoring a computer network for specified events at a presence, comprising:

gathering heterogeneous data, as directed by the presence, at two or more remote computers and placing the gathered data in a data stream and forwarding the data stream to the presence;

receiving, at the presence, the at least one data stream sent from the two or more remote computers, the data stream including data representative of events; and

applying rules to the at least one data stream at the presence for sorting data representative of events and for taking one or more actions based on a specified event.

3. Cancel

4. (Amended) The method of claim 1, wherein said gathering step is performed by an agent.

9. Cancel

10. Cancel

11. Cancel

12. Cancel

13. Cancel

21. Cancel

22. (Amended) An article usable to monitor a computer

network for specified events at a presence, comprising:

- at least one sequence of machine executable instructions;
- a medium bearing the executable instructions in machine readable form, wherein execution of the instructions by one or more processors causes the one or more processors to:

- gather heterogeneous data, as directed by the presence, at two or more remote computers and place the gathered data in a respective data stream to the presence;

- receive at least one data stream at the presence, the data stream including data representative of events; and

- apply rules to the data stream at the presence, for sorting data representative of events and for taking one or more actions based on a specified event.

24. (Amended) A computer architecture for monitoring a computer network at a presence for specified events, comprising:

- gathering means, at two or more remote computers, for gathering heterogeneous data, as directed by the presence, and placing the data in a respective data stream and forwarding the data stream to the presence;

- receiving means, at the presence, for receiving at least one data stream at a computer, the data stream including data representative of events; and

- applying means, at the presence, for applying rules to the at least one data stream for sorting data representative of events and for taking one or more actions based on a specified

event.

25. Cancel

26. (Amended) A computer system usable to monitor a computer network for specified events at a presence, comprising:

a processor; and

a memory coupled to said processor, the memory having stored therein sequences of instructions, which, when executed by said processor, causes said processor to perform the steps of:

gathering heterogeneous data, as directed by the presence, at two or more remote computers and placing the gathered data in a respective data stream to the presence;

receiving at least one data stream at the presence, the data stream including data representative of events; and

applying rules to the data stream at the presence for sorting data representative of events and for taking one or more actions based on a specified event.

Please add new claims 28 and 29 as follows:

--28. The method of claim 1, wherein said gathering step includes collecting/generating data at the two or more remote computers.

29. The method of claim 1, wherein said gathering and receiving step are performed in real-time--.

## REMARKS

Before examination on the merits, please enter this Preliminary Amendment. Entry of this Preliminary Amendment is respectfully requested and deemed in order.

Claims 1, 2, 4-8, 14-20, 22-24, 26 and 27 are presented in this Amendment for examination on the merits. New claims 28 and 29 have been added.

Claim 4 has been amended to depend from pending claim 1.

Applicant wishes to thank Examiner Bonzo for the courtesies extended during the telephonic interview conducted on November 26, 2001, in which the Examiner provided some helpful suggestions regarding claim language.

Claims 1, 5, 9 and 10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Baclawski. In response, claim 1 has been amended and is believed patentable over Baclawski for the reasons discussed below.

Claim 1 has been amended to recite that the gathering step is directed by a presence. Baclawski does not have a gathering step because the data has already been gathered. Thus, claim 1 is not met by Baclawski and the anticipation rejection should be withdrawn.

Claims 2, 14, 20, 21, 23, 25 and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over McCreery. For the reasons discussed above with respect to claim 1, the obviousness rejection should be withdrawn.

All objections and rejections having been addressed, it is

respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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## MARKED-UP VERSION SHOWING CHANGES

### IN THE SPECIFICATION

On page 8, amend the third full paragraph as follows:

As depicted in Figure 2, a network usable with the present invention includes a presence 150, a computer system 160 and a computer system 170 connected to a network such as the Internet. The network illustrated in Figure 2 can also be called a virtual space. Other types of networks such as local area networks, wide area networks and the like can also be used with the present invention. The presence 150 includes the computer software used in the present invention. Other computer systems including the depicted computer systems 172 and 174 generate message traffic which is sent to presence 150. The presence 150 is expecting the event stream sent by the gatherer agent to be of a predetermined format. The presence 150 is configured to be able to use this native format information and, if necessary, perform a transformation. [The information sent by a gatherer agent should have information such]

Page 8, last paragraph, through page 10, third full paragraph, amend as follows:

Computer system [160] 170 includes an illustrated hunter agent 175 and a message database 180. The hunter agent 175 is sent by the presence 150 to the computer system [160] 170. The message database 180 can receive information from many sources

such as [the illustrated a satellite link. Functionally, an agent is computer software, transportable over a computer network from one computer to another, to implement a desired function on the destination computer. An agent can also be defined as a transferable self-contained set of executable code instructions. The hunter agent 175 uses information contained in the message database 180 to create and send an event stream object (ESO) 182 to the presence 150. A relationship 184 exists between the ESO 182 and the message database 180. The hunter agent 175 [have] has to go out and look for information contained in databases throughout the network. The hunter agent can transform the events into a standardized format for use by the presence 150 which can include at least some of the following information associated with each event: type, title, datetime, keywords, summary, priority, and duration.

Computer system [170] 160 includes an illustrated gatherer agent 190 and a database 195. The gatherer agent 190 is sent by the presence 150 to the computer system [170] 160. The database 195 can receive information from many sources such as the [illustrated] satellite link. The gatherer agent 190 sends information to the presence 150. The gatherer agent 190 relays information to the presence in a native format as the information is updated at the database 195. The events will have at least some of the following information associated with each event: type, title, datetime, keywords, summary, priority, and duration.

There are three basic types of event stream [object

production] objects as used by a cluster of presence entities, as illustrated in Figure 2A.

The first, "Hunter Dynamic" 200, depicts the extraction of event information from a legacy data source. In this case, [an] a specialized event stream object [specialized] 202 to the particular legacy data type is created to represent the data source record. This specialized object 202 retains a pointer back to the original record, allowing it to extract additional information and update information as appropriate.

The second, "Hunter Static" 204, also depicts the extraction of event information from a legacy data source. In this case, however, a generic event stream object 206 is created and the standard information elements are "filled in" as appropriate.

Third, the "Gatherer" approach shows the identification of newly created information in "new development" data sources 208. In this case, it is assumed that the information objects 210 were developed with the standard event stream interface 212 and elements in mind, and can thus be used by the presence 150 with no additional modification.

Finally, [the diagram] Figure 2A depicts each of the event stream objects being sent to [the] a top-level presence entity 150 for its use, and any delegated use by subordinate presence objects.

As illustrated in Figure 3, events are sent by computer systems 160, 170, 172, 174 to the presence 150. Preferably, the events or event streams sent by the computer systems 160, 170,

172, 174 are in a standardized format and include the information listed above for the hunter 175 and gatherer 190 agents. It may be necessary to have separate code at the presence 150 for standardizing the incoming message traffic. The presence 150 includes the inventive computer software for applying rules and taking actions of the events ingested by the presence 150 and sorting the ingested events into streams of events 220, 222, 224. Only three streams are depicted although the present invention is not limited to any specific number of streams. Events received by a presence are usually organized into logical groupings known as streams. These streams can be used to systematize information. The stream names are devised by the user and events are moving onto streams through the automatic application of rules created by the user.

#### IN THE CLAIMS

Please amend the claims as follows:

1. (Amended) A method [for] of monitoring [an incoming data stream] a computer network for specified events at a presence, comprising:

gathering heterogeneous data, as directed by the presence,  
at two or more remote computers and placing the gathered data in  
a data stream and forwarding the data stream to the presence;

receiving, at the presence, the at least one data stream  
sent from the [at a computer] two or more remote computers, the

data stream including data representative of events; and

applying rules to the at least one data stream at the presence for sorting data representative of events and for taking one or more actions [action] based on a specified event.

3. Cancel

4. (Amended) The method of claim [3] 1, wherein said gathering step is performed by an agent.

9. Cancel

10. Cancel

11. Cancel

12. Cancel

13. Cancel

21. Cancel

22. (Amended) An article usable to monitor a computer network for specified events at a presence, comprising:

at least one sequence of machine executable instructions;

a medium bearing the executable instructions in machine readable form, wherein execution of the instructions by one or more processors causes the one or more processors to:

gather heterogeneous data, as directed by the presence, at two or more remote computers and place the gathered data in a respective data stream to the presence;

receive at least one data stream at [a computer] the presence, the data stream including data representative of

events; and

apply rules to the data stream at the presence, for sorting data representative of events and for taking one or more [an action] actions based on a specified event.

24. (Amended) A computer architecture for monitoring [an incoming data stream] a computer network at a presence for specified events, comprising:

gathering means, at two or more remote computers, for gathering heterogeneous data, as directed by the presence, and placing the data in a respective data stream and forwarding the data stream to the presence;

receiving means, at the presence, for receiving at least one data stream at a computer, the data stream including data representative of events; and

applying means, at the presence, for applying rules to the at least one data stream for sorting data representative of events and for taking one or more [an action] actions based on a specified event.

25. Cancel

26. (Amended) A computer system usable to monitor a computer network for specified events at a presence, comprising:  
a processor; and  
a memory coupled to said processor, the memory having stored

therein sequences of instructions, which, when executed by said processor, causes said processor to perform the steps of:

gathering heterogeneous data, as directed by the presence, at two or more remote computers and placing the gathered data in a respective data stream to the presence;

receiving at least one data stream [at a computer] at the presence, the data stream including data representative of events; and

applying rules to the data stream at the presence for sorting data representative of events and for taking one or more actions [an action] based on a specified event.